

UNITED STATES BANKRUPTCY COURT
IN THE MATTER OF:

EASTERN DISTRICT OF WISCONSIN
Chapter 13

JOSEPH JACKSON AND
BRENDA VALENTINE JACKSON
Debtors.

Case No. 13-23392 pp

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

The Debtor in the above captioned case, whether one or more, has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of the Bankruptcy Court
517 E. Wisconsin Avenue
Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court of filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Benjamin Payne
Hanson & Payne, LLC
740 N. James Lovell
Milwaukee, Wisconsin 53233

If you or your attorney do not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:

 X The Debtor;

 The Chapter 13 Trustee (post-confirmation modifications only);

 The holder of an unsecured claim (Name:) (post-confirmation modifications only).

Name:

2. This is a request to modify a Chapter 13 Plan (Select A. or B.):

A. post-confirmation;

B. X pre-confirmation (Select i. or ii.);

i. Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (Local Bankruptcy Rule 3015(b)); or

ii. X Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are: JP Morgan Chase Bank, NA (“Chase”).

All creditors. (not all creditors are necessarily adversely affected by this amendment, but notice is being given to all creditors regardless.)

This amendment fully incorporates the original plan and the amended plan filed 4/01/14.

3. The Proponent wishes to modify the Chapter 13 Plan to do the following:
(State generally the purpose of the modification.)

To provide for payment on Chase’s claim secured by the property located at 7475 N. 42nd St. to be made on a pro rata basis.

4. The reason(s) for the modification is/are: (State the reasons for the modification.)

To accommodate payment of secured claims within the constraints imposed by the step-up Plan.

5. Select A. or B.

A. _____ The Chapter 13 Plan confirmed or modified on _____ is modified as follows: (State the specific language of the modification.)

B. X The unconfirmed Chapter 13 Plan filed April 8, 2013, and last amended on 4/01/14, is modified as follows:

Claim # 15 on the claims docket, the secured claim of Chase, shall be paid pro rata from funds available for distribution on secured claims until paid in full.

6. **BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.**

CERTIFICATION

I Benjamin Payne, attorney for Debtor(s), certify that I have reviewed the modification proposed above with the Debtor(s), and that the Debtor(s) has/have authorized me to file it with the court.

/s/ Benjamin Payne
Counsel for Debtor(s)

04/14/14
Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: 04/14/14
at Milwaukee, Wisconsin

Attorneys for Debtors
By: Benjamin Payne
Bar No.: 1041478